



## **SPECIAL COMMON COUNCIL MEETING**

### **October 7, 2013**

### **6 P.M.**

#### **Special Meeting**

The Special meeting of the Common Council of the City of Middletown was held in the Council Chamber of the Municipal Building on Monday, October 7, 2013 at 6 p.m.

#### **Present**

Mayor Daniel T. Drew, Deputy Mayor Robert P. Santangelo and Council Members Thomas J. Serra, Ronald P. Klattenberg, Mary A. Bartolotta, Gerald E. Daley, Hope Kasper, Grady L. Faulkner, Jr., Philip J. Pessina, Joseph E. Bibisi, Linda Salafia, Todd G. Berch, and Deborah Kleckowski; Sergeant-at-arms Police Chief William McKenna, and Common Council Clerk Marie O. Norwood.

#### **Absent**

Corporation Counsel Daniel B. Ryan

#### **Also Present**

Public Works Director William Russo, Finance Director Carl Erlacher, Director of IT William Oliver, Water and Sewer Director Guy Russo, Parking Director Geen Thazhampallath, City Attorney Brig Smith, Acting Personnel Director Kathy Morey, Deputy Chief of Police Michael Timbro, Acting Parks and Recreation Director Deb Stanley, Tax Assessor Damon Braasch, Fire Chief Gary Ouellette, Director of Communications Wayne Bartolotta, Director of Human Relations Faith Jackson, Director of Health Joseph Havlicek, MD, Arts Coordinator Stephan Allison, City and Town Clerk Sandra Driska, Emergency Management Director Bruce Driska, Russell Library Director Arthur Meyers, Youth Services Coordinator Justin Carbonella Joseph Samolis Administrative Aide to the Mayor and 2 members of the public.

#### **Meeting Called to Order**

The Acting Chair, Deputy Mayor Robert P. Santangelo calls the meeting to order at 6:04 p.m. He asks Councilman Serra to lead the public in the Pledge of Allegiance.

#### **Call of Meeting Read**

The Call of the meeting is read and accepted. The Acting Chair declares this call a legal call and the meeting a legal meeting.

#### **Workshop Opens**

Councilman Berch asks for the Parking Department Director. Geen Thazhampallath comes forward to respond to Councilman Berch's questions on the Arcade lot. He states there has been contentious banter about the shape and about the cost of keeping it open. Currently, from what he read, you have 35 to 38 spots closed. Mr. Thazhampallath responds correct. Councilman Berch asks out of how many. Mr. Thazhampallath responds 185. Councilman Berch asks if Insurance and Claims there has been some contention about damage to cars parking beneath the garage; do you know the cost of claims for the last year as far as damage. Mr. Thazhampallath states when discussions began, they did a report and it was about \$7,000 and could be over \$10,000 accumulated over time. Councilman Berch states it is water dripping from above. Mr. Thazhampallath responds it is more than water. Because of the age of the building, the concrete is beginning to deteriorate and water seeps in and the salts that have accumulated now drips on to people's cars and stains the car; it is permanent and they have brought in claims. Councilman Berch states the agenda item approving budget line \$75,000 to band aid the system would that continue to happen. Mr. Thazhampallath states every year after the department fund was created, a transfer occurs approving the movement of money into the parking fund. The first year, it was \$125,000 and 2012, it was \$250,000. This year it is \$117,000. Every year I have to create lines in that fund and he is looking to allocate \$75,000 and \$42,000 according to our initial assessment to put in as seed money for the fixes. At Finance and Government, the parking fund cannot fund any repairs to the Arcade. It needs to be appropriated. Councilman Berch states the \$42,000 earmarked for a band aid is part of the allocation. Mr. Thazhampallath states we are looking at three options. Councilman Berch states you want \$42,000 out of the \$125,000. Mr. Thazhampallath states out of the \$117,000 coming to me. Anything in excess of the \$42,000, the general fund would have cover it.

#### **Noted for the Record**

Councilwoman Kasper takes her seat in the chamber at 6:08 p.m.

Mr. Thazhampallath states \$42,000 is for the parking garage and we can ask for a transfer out of that line. Councilman Berch states it is a dire need; in his opinion it needs to be demolished and a new one built. He would like the \$42,000 used for other purposes. He states it was stated that there was no eminent danger of it falling down; it is just falling apart. We should close the lower level after the holidays; close it down in the spring and build a new one.

#### **Noted for the Record**

Councilman Pessina takes his seat in the chamber at 6:10 p.m.

Councilman Bibisi states you made a request to do research on what has been spent so far; Mr. Thazhampallath responds there was work done in 1998. Councilman Bibisi states we spent over \$150,000. Mr.

Thazhampallath states in 2008, \$45,000 was spent; \$15,000 for a study; and this year \$7,500. Mr. Thazhampallath states between 2008 and 2013, it has been \$85,000. Councilman Bibisi states it is \$150,000 plus \$85,000 and now \$150,000 for another band aid. There isn't a band aid big enough for this. You are talking about cement falling down; a 20 pound chunk came down and hit the Mercedes. When things fall down in that level; when you see a land slide happen, you see pebbles and then the land slide. It is worn out and it is time to address it and take it down. The \$125,000 is not big enough to stop it happening.

Councilman Klattenberg asks how many claims have been brought before the City on the garage. Mr. Thazhampallath states he doesn't know; it is definitely in the higher numbers between 5 to 15. Some small and some bigger. It is in there. It is the \$7,000 to \$12,000 dollar range. Councilman Klattenberg states he saw that one car was totaled. Mr. Thazhampallath responds that is true. Councilman Klattenberg states 4 or 5 years ago, there was another car that was totaled. These band aids don't work. Mr. Thazhampallath states based on the reports they have, the costs of doing option A is \$45,000; B is the full boat of repairs and weatherproofing; it should stop it and that is \$125,000 and option C is the demolition of the garage. From our conversations with the structural engineer, option A will not stop the seepage. I think with option B, the claims will be decreased, but you are putting in a significant amount of money. Councilman Klattenberg states there are 185 spots; he read that if the structure was demolished, it could translate to 300. Mr. Thazhampallath states the total structure is 320; 175 on the top and 185 on the bottom. What he could do if it is demolished, I could make a roughly 215 space parking lot and not all the bells and whistles of Melilli. I have floated the concept in demolishing it and see it through Economic Development and the Planning and Zoning Commission to do this. The whole discussion is with the backdrop of a new garage. We have \$6.9 million administered from feds to the State and we would have to come up with the rest and the new one is priced about \$11.5 – \$12 million with three story, 500 space garage. You would look at a referendum. I think some of the thinking that has occurred at Finance and Government Operations Commission, should we appropriate the full amount because we don't know what the future will bring. If it is demolished, where would he move those people and what to do with City employees. Councilman Klattenberg states the courthouse has how many. Mr. Thazhampallath states the upper level of our garage is frequented by the daily consumers of the garage. The lower level is used by permanent parkers.

#### **Noted for the Record**

Council Members Salafia and Faulkner take their seats in the chamber at 6:18 p.m.

Mr. Thazhampallath states I would have to rethink where everyone goes. He would make Melilli a daily lot and move the monthly parkers upstairs and to help Melilli, he would have to move all employees about 50 sites to other areas.

Councilwoman Kasper states the two reports on the garage and our engineering consultant in both is that we need to do more than repair it and need to do something else. If we have a proposal B, do we have it in writing that the engineer said we can extend it out to 5 or nine years. Mr. Thazhampallath states their report does state what you said. They do not go as far as saying it is unsafe, but if we continue to use it we will have more particles fall and chunks of concrete. She hasn't found about the years of use. To go back to the claims, there have been many cars that we have repaired due to the caustic liquid that has fallen on it. The total amount spent is very sizeable. I believe once we do take care of the unsafe issues, she would like to see it in writing that it would be 5 -7 years. Mr. Thazhampallath states we will have that report.

Councilman Pessina asks what was discussed in Finance and Government Operations, aren't we putting off the obvious. It sounds to me, you have a plan for alternate parking spaces. As a solution, if we can take the garage down, why don't we look at a private and public partnership. That could be outside the box. That is some prime land in Middletown overlooking the river and the way the economy is going and improving, you might get a private company in and share a partnership so we would not lose all the revenue. We can't play with people's safety. When he left the police six years ago, we had minor claims and we put a lot of band aids on this thing. We have a risk sitting over there and it is a matter of time and putting our City at risk. Forget the monetary value. His suggestion is to start working on the plan and request the Council to look at this creatively. Make a temporary parking lot and seriously look into a private public partnership. From what I hear around the State, the City is ripe for a private entity to come in and take the space to the benefit of us. Mr. Thazhampallath responds he fell into this trap and cautions if we look at the spot as only a garage, he was starting to think about development and think about the parcel with what else is happening downtown. We can build another garage there, but if it works hand in hand with another project, I wouldn't just write off a parking garage. I would ask you to think about it in a more global way. He would have to look at moving the parking. Councilman Pessina states look at a private entity to put something special there. Mr. Thazhampallath states we are talking short term; we have to deal with the repairs whether \$45,000 or \$125,000; the long term building of a garage, a public private partnership is something to look at. The garage might work with something else happening downtown.

#### **Noted for the Record**

Councilman Serra takes his seat in the chamber at 6:28 p.m.

Councilman Berch asks for Damon Braasch, Tax Assessor. He asks for the process for the re-evaluation of City properties. Mr. Braasch responds all properties have been visited at least once by the appraisers and they are sending out batches of informational sheets to the homeowners. Once they have a clean set of data, they can compare with what they have on record. Councilman Berch states you are asking them to come clean first. Mr. Braasch states the data mailer, the person went to the property. We are providing data and we are finding inconsistencies with data entry and what was written on the data sheet. Once they are done with the process we can review what we had in previous valuations. Councilman Berch states you will find things that did not follow the building permit process. Mr. Braasch responds yes. Councilman Berch states if illegal buildings were put up, they are going through the Building Department. Is that process being followed. Mr. Braasch responds yes; the anticipated procedure is getting corrected data, comparison of square footage and anything that dumps out, the information will be forwarded up.

Councilwoman Kleckowski asks for Bill Oliver, Director of Information Technology. She asks questions about the Computer Department CNR requests. She asks if there is discussion on renting instead of buying. Mr.

Oliver states they have done that; they keep computer equipment longer than the lease cycle. We replace a computer and move it somewhere else and we get 5 to 6 years. Councilwoman Kleckowski asks the cost to repair the computers. Mr. Oliver states that is factored in; some pieces are better leased, but not computers. Councilwoman Kleckowski states there is no indication of how many computers you are buying; Dispatch has \$18,000, Finance and Tax, no number. How many computers. Mr. Oliver responds generally it is replacement of all the machines in the department. There may be 4 different models and he does the bottom dollar amount. Councilwoman Kleckowski states she would be curious to know how many computers we have. Mr. Oliver responds sure. Councilwoman Kleckowski states what is the new server for CAD; Mr. Oliver responds that is Computer Aided Dispatch. She asks if it is the operating system upgrade. Mr. Oliver replies that covers upgrades that is for machine that will need newer software. I can get you an itemized list of the total inventory. There is an expired operating service that Microsoft will no longer support and is highly easy to get a virus. Councilwoman Kleckowski asks about the scanner. Mr. Oliver responds the scanner and workstation and the stand and it will be IT Department and part of document management. She states is that from your department. Mr. Oliver responds we have an older scanner in the building; scanners in the Town Clerk's Office. The document imaging will be Citywide. It will happen all over the City and coordinated from their department. Councilwoman Kleckowski asks if you coordinate all the copiers. Mr. Oliver states they come through his department. Councilwoman Kleckowski asks if they are leased or purchased. Mr. Oliver Bill states all are purchased and a couple leased. Councilwoman Kleckowski asks what is the contractual part. Mr. Oliver responds it is maintenance through the State bid. Councilwoman Kleckowski asks if it is full service. Mr. Oliver replies yes; they are not there yet for all of them.

Councilman Faulkner asks about the whole IT situation; I thought we passed some resolutions this year for bonding of new systems and a big overhaul. Are these in addition to those. Mr. Oliver states this is in addition to what the bonds are; one bond was a phone system or document management software and were not related to the day to day computer operations and updates. That was not included in the bond issues. This is two years of CNR coming in one year. Councilman Faulkner asks if it changes technology. Mr. Oliver responds this is to just stay current. Councilman Faulkner asks if we are still stuck with the same accounting software. Mr. Oliver responds CNR is nuts and bolts. Councilman Faulkner asks if it will put us in a position to change it; Mr. Oliver states we could explore that. Councilman Faulkner asks about the CAD. Mr. Oliver replies we put in the server and it has run since 2010 and it comes out of warranty and we are talking about it coming out of warranty. Councilman Faulkner states we can put in all new software. Mr. Oliver states it is not failing; it is going to be out of warranty and if there is a failure, it is much harder to repair and get it repaired; the plan is to replace the hardware before it fails.

#### **Noted for the Record**

Councilwoman Bartolotta takes her seat in the chamber at 6:41 p.m.

Mr. Oliver states if he has a machine that runs outside warranty and needs a repair, someone other than the manufacturer will respond to the repair. He keeps equipment with critical jobs in warranty. Mr. Oliver states he compares the two choices and these expenses are handled as capital expenses and some of the people in his position don't have it in CNR, but have it in their operational budget. Councilman Faulkner states we will need to look at that; you are saying, based on warranties, we will be replacing them. Mr. Oliver states yes; 48 months on critical pieces. I don't get rid of it; I can't use it for critical functions. Councilman Faulkner states you are saying servers. Mr. Oliver states yes. Councilman Faulkner states it is essentially the amount we are talking about and we need to look at this after. Mr. Oliver responds we can look at the pros and cons on CNR or operational funds. Councilman Faulkner states he would like the projection out with all these factors.

Councilwoman Bartolotta states you are saying you will be replacing machines out of warranty; is there a way to buy an extended warranty. Mr. Oliver replies there are extended warranties and they tend not to be cost effective. We look at warranties with the maximum and you never get more than 60 months and we look at the value of the extension cost and a newer faster machine. In this case, a newer faster machine is better

Councilwoman Berch asks to address questions to Chief McKenna regarding the Remington Rand building for the medical marijuana company lease. Chief McKenna responds he has not seen the lease, but it has been shared and he is satisfied with that. The department is selecting a captain to be involved with IT and another officer and if they are awarded the license, and they come to Middletown, we will have our hands on it from the beginning phase.

#### **Noted for the Record**

Councilman Daley takes his seat in the chamber at 6:53 p.m.

Chief McKenna states they can get into their system and it is a building within a building and he is happy with it and he did bring portions of it to Public Safety and they received a document from Director Warner and he has not heard any negative comments from Public Safety. Councilman Berch has questions on security cameras.

#### **Point of Information**

Councilwoman Kleckowski states this is not an agenda item. Councilman Berch apologizes.

Councilwoman Kleckowski asks for Carl Erlacher, Director of Finance. She asks about expenditures for office furniture and equipment for you and the Office of General Counsel. Mr. Erlacher responds it is a copier for his department. Attorney Smith states it is for a new copier; his copier is on its last legs. Councilwoman Kleckowski asks what is it for the Mayor's Office. Joe Samolis, Aide to the Mayor, comes forward to address the question and states it is specifically for furniture that needs replacement and a portion is allocated for the Common Council wall in this chamber. He states it is for furniture within the Mayor's office and the cubicles outside and chairs need replacement.

Councilwoman Kleckowski asks about the small department CNR figure of \$37,450; that is a lot of miscellaneous.

**Point of Information**

The Acting Chair states it is 6:57 p.m. He asks if the Council wants to extend this meeting; if so they will need to recess this meeting and start the next meeting, then adjourn that meeting and come back to this one.

**Motion to Recess**

Councilman Serra moves to extend the meeting and moves for a recess. Councilwoman Kasper seconds the motion. The vote is called and it is unanimous to extend the meeting and recess with twelve aye votes. The Acting Chair recesses the meeting at 6:58 p.m.

**Meeting Reconvenes**

The Chair reconvenes the meeting at 7:20 p.m.

Councilman Serra calls the Finance Director forward. Councilwoman Kleckowski states when we recessed I had the floor. She states Director Erlacher we are at miscellaneous \$37,000; Mr. Erlacher states the charge was put to the Mayor's Office to allocate the \$950,000; the miscellaneous covers every department that was not listed whether it is Town Clerk, Assessors. etc. If things are not spent, we will use it for future CNR. It will go back to Finance and Government Operations and the Council if anything will be spent from there.

Councilman Serra asks about the award we received for you. The citizens of Middletown need to know. Mr. Erlacher states I didn't receive an award. It was the Department that received an award for their financial reporting. Councilman Serra states we have \$1.7 million for CNR; \$950,000 operating and \$750,000 in a bond. Are we able to handle the expenditure. Mr. Erlacher states if you look at the bond summary; the threshold is 7 times the base and we can bond \$755,000,000 and we have a capacity of \$650,000,000. Do we have the ability to bond; the answer is yes. The \$950,000 is appropriated; we received some excess funds from the State and we will be using those funds to cover the CNR. We can absorb that. Councilman Serra asks if we invest this money in infrastructure, is it a positive. Mr. Erlacher responds it is always a positive to invest in infrastructure. We have 34 trucks we replace on a continuous basis; if you keep them at 15 -17 years and this CNR is catching that Department up. For the \$950,000, it is police cruisers and the IT Department and you know what a disaster it is if we don't do it. Councilman Serra wanted to ask the question and congratulations on your award.

The Chair asks if there are any further questions; seeing none, he asks for a motion to adjourn.

**Workshop Closes**

The Chair asks for further questions; seeing none he asks for a motion to adjourn

**Motion to adjourn**

Councilman Serra moves to adjourn and his motion is seconded by Councilwoman Kleckowski. The vote is called and it is unanimous to approve with twelve aye votes. The Chair adjourns the meeting at 7:26 p.m.

ATTEST:

MARIE O NORWOOD  
Common Council Clerk